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5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 TEDDY MORRIS,

10 Petitioner,

11 v.

12 ROB McKENNA,

13 Respondent.
14

CASE NO. C09-5345RBL/JRC

ORDER ADOPTING
REPORT AND
RECOMMENDATION

15 The Court having reviewed the Report and Recommendation of the Hon. J. Richard
16 Creatura, United States Magistrate Judge, objections to the Report and Recommendation [Dkt.
17 #33], and the remaining record, does hereby find and Order:

- 18 (1) The Court adopts the Report and Recommendation;
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20 (2) This petition is DENIED for the reasons stated in the Report and
21 Recommendation. This petition does not challenge the fact, length or duration of
22 a sentence and it is not properly a habeas corpus matter.
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24 (3) To the extent a certificate of appeal may be necessary, the Court declines to enter
25 one here because the Petitioner has failed to make “a substantial showing of the
26 denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

1 (4) The clerk is directed to send copies of this Order to Petitioner, and the Hon. J.
2 Richard Creatura.

3 DATED this 1st day of March, 2010.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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